

August 19, 2004

SANDRA K AMODT
22633 141ST AVE SE
KENT WA 98042

SUBJECT: Complaint filed against Leona Orr—PDC Case #04-456

Dear Ms. Amodt:

The Public Disclosure Commission staff has completed its investigation of your complaint alleging that Leona Orr violated the Public Disclosure law by using the facilities of the City of Kent to assist her 2003 campaign for re-election to the Kent City Council. Your complaint was received October 30, 2003, but investigation of your complaint was suspended pending the outcome of a Permanent Injunction that had been issued in King County concerning the Commission's application of RCW 42.17.130. The investigation was restarted April 28, 2004 following the State Supreme Court's reversal of the Permanent Injunction.

The PDC staff reviewed your allegations in light of the following statute:

RCW 42.17.130 prohibits elected officials, their employees, and persons appointed to or employed by a public office or agency from using or authorizing the use of public facilities, directly or indirectly, for the purpose of assisting a candidate's campaign or for the promotion of, or opposition to, any ballot proposition.

You alleged that Leona Orr used her official City Council photograph for her 2003 campaign.

We found that:

- Ms. Orr purchased the photograph from the City of Kent, a service that is available to other candidates as well as the public. She paid \$10 for the photograph, which is the standard fee charged by the City of Kent.
- The City's Chief Administrative Officer confirmed that anyone can purchase city owned photographs for \$10, and stated that other candidates have purchased photographs from the City in the past.

You also alleged that Leona Orr used City of Kent facilities when she attached her campaign signs to city signposts during her 2003 campaign. You supplied photographs of 23 campaign signs. Eight of the photographs appear to be attached to stop signs, road-closed signs or other street signs.

We found that:

- Ms. Orr's husband, Jim Orr, personally put up approximately 1,800 of the 2,000 campaign signs. He denied attaching any signs to city signposts.
- Campaign volunteers put up the remaining 200 signs, and were aware that signs were not to be placed on city owned posts.
- After the election, Mr. Orr picked up the signs, and did not find any signs attached to city signposts. He stated that approximately 150 signs were missing after the election.
- Ms. Orr denied that anyone associated with her campaign attached any campaign signs to city signposts. Ms. Orr stated that she believed someone not with her campaign moved her signs to damage her reputation.

You did not provide evidence that Leona Orr or anyone associated with her campaign actually placed any campaign signs on city property.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against Leona Orr.

Sincerely,

Vicki Rippie
Executive Director

c: Leona Orr